

FILED
UNDER
SEAL

United States District Court
for
the District of Nevada

PETITION FOR WARRANT
FOR OFFENDER UNDER SUPERVISION

Name of Offender: Darnell Gaston

Case Number: 2:07CR00241

Name of Sentencing Judicial Officer: Honorable Kent J. Dawson

Date of Original Sentence: April 8, 2009

Original Offense: Conspiracy to Distribute Crack Cocaine

Original Sentence: 120 Months prison, followed by 60 Months TSR.

Date Supervision Commenced: June 23, 2015

PETITIONING THE COURT

☒ To issue a warrant.

☐ To issue a summons:

The probation officer believes the offender has violated the following condition(s) of supervision:

1. The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually. Revocation is mandatory for refusal to comply.

On or about January 10, 2016, Gaston used marijuana. On January 14, 2016, Gaston tested positive for the drug and verbally admitted to using marijuana on the aforementioned date.

RE: Darnell Gaston

Prob12C
D/NV Form
Rev. June 2014

- 2. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.**

On January 10, 2016, officer of the Las Vegas Metropolitan Police Department conducted a search of Gaston's residence shortly following a shooting that occurred at his residence. On January 13, 2016, and January 14, 2016, Gaston reported having police contact, however failed to report his home was searched and that ammunition was seized from his residence.

- 3. The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.**

On January 10, 2016, a search was conducted by Las Vegas Metropolitan Police of Gaston's residence. Three (3) rounds of .357 ammunition, and two (2) rounds of .38 ammunition were discovered in Gaston's bedroom during the search.

- 4. Shall Not Commit Crime - The defendant shall not commit another federal state or local crime.**

On January 10, 2016, per Las Vegas Metropolitan Search report, Gaston was in possession of three (3) rounds of .357 caliber ammunition, and two (2) rounds of .38 caliber ammunition in violation of Title 18, United States Criminal Code 922(g).

U.S. Probation Officer Recommendation:

The term of supervision should be:

☒ Revoked

☐ To extend the term of supervision Click here to enter text. months, for a total term of Click here to enter text. months.

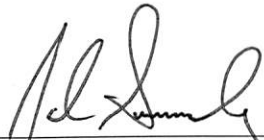
☐ The conditions of supervision should be modified as follows:

RE: Darnell Gaston

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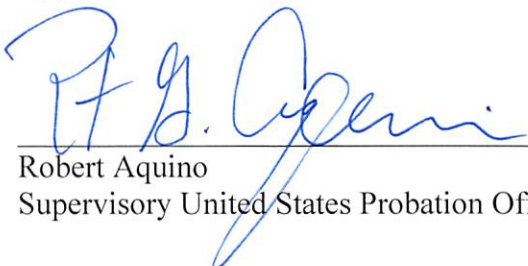
I declare under penalty of perjury that the
information contained herein is true and correct,

Executed on **February 3, 2016**



Patrick Sumansky
United States Probation Officer


Approved:



Robert Aquino
Supervisory United States Probation Officer

THE COURT ORDERS

- ☐ No Action.
- ☒ The issuance of a warrant.
- ☐ The issuance of a summons.
- ☐ Other:



Signature of Judicial Officer

2/5/16

Date

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. DARNELL GASTON, 2:07CR00241

SUMMARY IN SUPPORT OF PETITION FOR WARRANT
February 3, 2016

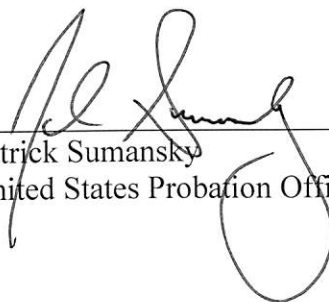
On January 10, 2016, a drive by shooting occurred at Gaston's residence (1436 Blankenship Avenue). United States Probation received information from Las Vegas Metropolitan Police Department (LVMPD) that following the shooting, Gaston was questioned and a search warrant was obtained for Gaston's residence. According to the Las Vegas Metropolitan search report: detectives discovered: \$3000.00 cash, .357 ammunition, and .38 caliber ammunition located in Gaston's bedroom. Six rounds of .357 ammunition were also located in Gaston's mother's room. The detectives also noted that the residence contained a strong odor of marijuana.

On January 13, 2016, Gaston reported telephonically to U.S. Probation and reported a shooting had occurred at his residence and he had police contact on January 10, 2016.

On January 14, 2016, the undersigned officer interviewed Gaston at the U.S. Probation office. Gaston again reported the police contact he had on January 10, 2016, but failed to advise this officer that a search was conducted of his residence and ammunition was seized from his room. During the office visit, Gaston submitted to a drug test, which was positive for marijuana. Gaston admitted that after the shooting at his residence, he was shaken up and used marijuana as a way to calm down.

Based on the nature of the above stated violations, it is respectfully requested that a warrant be issued and that Gaston remain in custody pending his revocation hearing.

Respectfully submitted,



Patrick Sumansky
United States Probation Officer

Approved:



Robert Aquino
Supervisory United States Probation Officer